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10/658,508	09/09/2003	Scott A. Jester	47109.1	1791

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EXAMINER	
MCCARTHY, CHRISTOPHER S	
ART UNIT	PAPER NUMBER
2113	

NOTIFICATION DATE	DELIVERY MODE
02/23/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/658,508	JESTER, SCOTT A.	
	Examiner	Art Unit	
	CHRISTOPHER S. MCCARTHY	2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 December 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-60* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *5-7,13,14,16-20,22-37,41,44,45,49,54,56 and 58* is/are allowed.

6)☒ Claim(s) *1-4,8-12,15,21,38-40,42,43,46-48,50-53,55 and 57* is/are rejected.

7)☒ Claim(s) *59 and 60* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim1 is objected to because of the following informalities: The Remarks cite wherein the system is independent of the processor or operating system, while the claim cites "process or". The examiner is interpreting the claim as "processor", but a process would be taught as well. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 38-40, 42-43, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson et al. U.S. Patent 6,714,976 in view of Worley et al. U.S. Patent 6,651,190.

As per claim 38, Wilson teaches a real time self monitoring computing station, including: a monitoring processor disposed at a computing station (column 5, lines 27-30); a detector array at the computing station, including at least one detector adapted to continuously sense a current

component condition at the computing station and generate a detector signal indicating the sensed condition (column 5, lines 27-30); a controller coupled to receive the detector signal from each detector of the array, and adapted to generate a component condition signal corresponding to each detector signal; a condition information generator coupled to receive each condition signal and adapted to generate performance information including a condition information entry based on each received performance signal (column 6, lines 1-14); a memory at the computing station including a first memory sector for storing address information identifying the computing station, a second memory sector for dynamically storing the condition information, and a third memory sector for storing an acceptance standard corresponding to each condition information entry; and a comparator coupled to the second and third memory sectors, adapted to compare each condition information entry with its corresponding acceptance standard and generate a fault indication responsive to each failure of a condition information entry to satisfy the corresponding acceptance standard (column 11, line 66 – column 12, line 9); wherein the performance information generator further is adapted to present a performance record including the address information and the performance information for retrieval by a remote monitoring station, in response to receiving a cue from the monitoring station (column 7, lines 58-65; column 5, lines 16-18; column 16, lines 9-23). Wilson does not teach the system to be independent of the processor or operating systems of the monitored computing systems, nor does he explicitly teach wherein the components are chassis components, as one interpret as mounted components on the chassis, such as fans, power supplies, etc. Worley does teach the system to be independent of the processor or operating systems of the monitored computing systems and wherein the components are chassis components (abstract). It would have been obvious to one of ordinary skill in the art

to use the process of Worley in the process of Wilson. One of ordinary skill in the art would have been motivated to use the process of Worley in the process of Wilson because Worley teaches the remote monitoring of computer systems (abstract); an explicit desire of Wilson (abstract).

As per claim 39, Wilson teaches the computing station of claim 38 wherein: the detector array includes a plurality of detectors for detecting different conditions, and the condition information includes a plurality of condition information entries individually related to the different conditions (column 5, lines 27-35).

As per claim 40, Wilson teaches the computing station of claim 39 wherein: each of the condition records includes condition information entries corresponding to all of the different conditions (column 5, lines 27-35).

As per claim 42, Wilson teaches the system of claim 39 wherein: each of the acceptance standards consists essentially of one of the following: a maximum value, a minimum value, and a range of values (column 11, line 66 – column 12, line 11).

As per claim 43, Wilson teaches the computing station of claim 38 wherein: the controller operates independently of the primary processor (column 6, lines 1-14).

As per claim 46, Wilson teaches a process for monitoring real time component at a plurality of remote computing stations, including: providing a detector array at each of a plurality of remote computing stations, and using each detector of each array to continuously sense a current computer component condition at the associated station; using a controller at each station to receive a detector signal from each detector of the associated array, and to generate a condition signal corresponding to each detector signal (column 5, lines 27-42), generating

condition information at each computer station including a performance information entry corresponding to each condition signal; assembling the condition information at each station, along with address information identifying that station, into a condition record associated with that station; sending a cuing signal from a monitoring computer to each of the remote computing stations (column 6, lines 1-14); responsive to receiving the cuing signal at each remote station, presenting the current condition record associated with that station for retrieval by the monitoring computer; and using the monitoring computer to retrieve the presented condition records (column 16, lines 9-23). Wilson does not teach the system to be independent of the processor or operating systems of the monitored computing systems, nor does he explicitly teach wherein the components are chassis components, as one interpret as mounted components on the chassis, such as fans, power supplies, etc. Worley does teach the system to be independent of the processor or operating systems of the monitored computing systems and wherein the components are chassis components (abstract). It would have been obvious to one of ordinary skill in the art to use the process of Worley in the process of Wilson. One of ordinary skill in the art would have been motivated to use the process of Worley in the process of Wilson because Worley teaches the remote monitoring of computer systems (abstract); an explicit desire of Wilson (abstract).

3. Claims 1-4, 8-12, 15, 21, 47, 48, 50-53, 55, 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson in view of Wookey U.S. Patent 6,023,507 in view of Worley et al. U.S. Patent 6,651,190.

As per claim 1, Wilson teaches a system for monitoring component conditions at a plurality of computing stations remote from a monitoring station, in real time (column 5, line 39), wherein each computing station includes a chassis for housing the computing station primary processor and computer components; said system including: a plurality of detector arrays, each of the arrays located at a different one of a plurality of computing stations, each detector array including at least one detector adapted to continuously sense a component condition at the associated computing station and generate a detector signal indicating the then currently sensed condition (column 5, lines 27-30); a plurality of controllers, each of the controllers located at an associated one of the computing stations and operatively coupled to the associated detector array to receive the detector signal from each detector of the associated array and generate a component condition signal corresponding to each received detector signal; a plurality of component condition information generators, each condition information generator located at an associated one of the computing stations, coupled to receive each associated component condition signal, and adapted to generate condition information including a condition information entry based on each received component condition signal (column 6, lines 1-14); a computing station memory at each computing station adapted to receive the associated current component condition information, including a first memory sector for storing address information identifying the associated computing station, and a second memory sector for continuoulsy storing the associated current condition information (column 7, lines 37-65); wherein each component condition information generator further is adapted to present an immediately retrievable current condition record including the address information and the condition information for retrieval by a monitoring station, in response to receipt of a cue from

the monitoring station (column 7, lines 58-65; column 5, lines 36-38; column 16, lines 9-23); and a monitoring station remote from the computing stations and communicatively coupled to the computing stations, including a monitoring station processor (column 4, lines 55-65); a monitoring component for generating cues and sending the cues to the selected computing stations, and an image generator adapted to generate visible images of the condition records presented in response to the cues and retrieved by the monitoring station (column 16, lines 9-47). Wilson does not explicitly teach a selection component for individually selecting different ones of the computing stations, Wookey does teach a selection component for individually selecting different ones of the computing stations (column 8, lines 31-51; column 9, lines 4-6; column 14, lines 7-14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the process of Wookey in the process of Wilson. One of ordinary skill in the art would have been motivated to use the process of Wookey in the process of Wilson because Wookey teaches his invention to be beneficial in the remote monitoring of distributed systems (column 1, lines 16-17); an explicit desire of Wilson (column 1, lines 15-20). Wilson does not teach the system to be independent of the processor or operating systems of the monitored computing systems, nor does he explicitly teach wherein the components are chassis components, as one interpret as mounted components on the chassis, such as fans, power supplies, etc. Worley does teach the system to be independent of the processor or operating systems of the monitored computing systems and wherein the components are chassis components (abstract). It would have been obvious to one of ordinary skill in the art to use the process of Worley in the process of Wilson. One of ordinary skill in the art would have been

motivated to use the process of Worley in the process of Wilson because Worley teaches the remote monitoring of computer systems (abstract); an explicit desire of Wilson (abstract).

As per claim 2, Wilson teaches wherein: the monitoring component comprises computer software in the form of a monitoring program resident in the monitoring station processor, adapted to generate and send cues in accordance with selection input from the selection component (column 16, lines 9-47).

As per claim 3, Wilson teaches the system of claim 2, wherein: the selection component comprises an operator-controlled device linked to the monitoring station processor and configured to allow a system user to control said selection input (column 16, lines 42-47).

As per claim 4, Wilson teaches the system of claim 2, wherein: the monitoring station further includes a memory segment for storing computing station address information comprising a list of addresses identifying the computing stations, and said selection component comprises computer software in the form of a selection program operatively associated with the monitoring program and the first memory segment to select the computing stations from the list of addresses (column 16, lines 42-47).

As per claim 8, Wilson in view of Wookey teaches the system of claim 1. Wilson teaches wherein: each of the detector arrays includes a plurality of detectors for detecting different conditions, and the condition information generated by each condition information generator includes a plurality of condition information entries individually relating to the different conditions (column 6, lines 1-14).

As per claim 9, Wilson teaches the system of claim 8, including: an evaluation component for determining, with respect to each of the condition entries, the presence of a fault (column 11, line 66 – column 12, line 9).

As per claim 10, Wilson teaches the system of claim 9, wherein: each of the computing station memories further includes a third memory sector for storing acceptance standards individually associated with the conditions, and the evaluation component includes a comparator coupled to the second and third memory sectors at each computing station for individually comparing the acceptance standards with the condition information entries and generating a fault indication responsive to each failure of a condition information entry to satisfy the associated acceptance standard (column 11, line 66 – column 12, line 9).

As per claim 11, Wilson teaches the system of claim 10, wherein: each of the acceptance standards consists essentially of one of the following: a maximum value, a minimum value, and a range of values (column 11, line 65 - column 12, line 9).

As per claim 12, Wilson teaches the system of claim 10, wherein: each of the condition information entries consists essentially of one of: a value associated with the detected condition; a fault indication; and a combination of the value and the fault indication (column 11, line 66 – column 12, line 9).

As per claim 15, Wilson in view of Wookey teaches the system of claim 1. Wilson teaches wherein: each of the controllers operates independently of its associated primary processor (column 6, lines 1-14).

As per claim 21, Wilson teaches the system of claim 1, wherein: the selection component comprises computer software in the form of a selection program resident in the associated monitoring station processor (column 8, lines 31-51).

As per claim 47, Wilson teaches the process of claim 46. Wookey teaches it further including: entering a list of the remote computing stations into the monitoring computer, and causing the computer to send the cuing signals in a sequence to the remote computing stations on the list (column 5, lines 43-49; column 8, lines 31-51). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the process of Wookey in the process of Wilson. One of ordinary skill in the art would have been motivated to use the process of Wookey in the process of Wilson because Wookey teaches his invention to be beneficial in the remote monitoring of distributed systems (column 1, lines 16-17); an explicit desire of Wilson (column 1, lines 15-20).

As per claim 48, Wilson teaches the process of claim 47. Wookey teaches it further including: using a computer program resident in the monitoring computer to cause multiple repetitions of said sequence (column 5, lines 43-49).

As per claim 50, Wilson teaches the process of claim 47. Wookey teaches wherein: entering the list comprises using an operator-controlled input device coupled to the monitoring computer (column 8, lines 31-51).

As per claim 51, Wilson teaches the process of claim 46. Wookey teaches wherein: each detector array includes a plurality of detectors, whereby the condition information associated with each remote computing station includes a plurality of condition information entries (column 3, lines 34-61).

As per claim 52, Wilson teaches the process of claim 51, further including: maintaining a list of acceptance standards associated with each remote computing station, comparing the acceptance standards with the associated condition information entries in a one-to-one correspondence, and generating a fault indication responsive to each failure of a condition information entry to satisfy the associated acceptance standard (column 11, line 66 – column 12, line 9). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the process of Wilson in the process of Wookey. One of ordinary skill in the art would have been motivated to use the process of Wilson in the process of Wookey because Wilson teaches his invention to be beneficial in the remote monitoring of distributed systems (column 1, lines 15-20); an explicit desire of Wookey (column 1, lines 16-17).

As per claim 53, Wilson teaches the process of claim 52, wherein: said comparing the acceptance standards with the associated condition information entries is performed at each of the remote computing stations (column 11, line 66 – column 12, line 9).

As per claim 55, Wilson teaches the process of claim 52 further including: generating visible images of the retrieved condition records (column 16, lines 9-42).

As per claim 57, Wilson teaches the process of claim 52. Wookey teaches it further including: generating a warning at the monitoring computer in response to retrieving a condition information entry that includes a fault indication (column 4, lines 36-45).

Allowable Subject Matter

4. Claims 5-7, 13-14, 16-20, 22-37, 41, 44-45, 49, 54,56,58 are allowed.

5. Claims 59-60 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments with respect to rejected claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: See attached PTO-892.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER S. MCCARTHY whose telephone number is (571)272-3651. The examiner can normally be reached on M-F, 9 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571)272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher S. McCarthy/
Primary Examiner, Art Unit 2113